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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/098,702	03/15/2002	Ali Motamedi	10020008-1	3243

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AGILENT TECHNOLOGIES, INC.
Legal Department , DL429
Intellectual Property Administration
P.O. Box 7599
Loveland, CO 80537-0599

EXAMINER

BROWN, KHALED

ART UNIT PAPER NUMBER

2877

DATE MAILED: 06/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n N .

10/098,702

Applicant(s)

MOTAMEDI ET AL.

Examiner

Khaled Brown

Art Unit

2877

-- The MAILING DATE f this communicati n appears on the c ver sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

Claim 20 is objected to because of the following informalities: the phrase "to be optically to said" makes no sense. The phrase "said first optical detector" lacks antecedent basis. Appropriate correction is required.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Wong et al (US 5062703).

Re clm 1: Wong et al discloses a method for measuring optical characteristics of a sub-component within a composite optical system, said method comprising: a) generating an optical response from said composite optical system (Col 2 lines 43-44) b) separating an optical response of said sub-component from said optical response of said composite optical system (Col 2 lines 52-54); and c) determining said optical characteristics of said sub-component by utilizing at least one portion of said optical response of said sub- component (Col 2 line 65).

Re clm 2: providing an input optical signal having a time-varying frequency (Col 5 lines 5-6)

Re clms 3,7-9: determining amplitude and phase of said optical response of said sub-component (Col 2 lines 65-68); detecting a reference phase of said input optical signal (Col 7 lines 34-35, Col 8 lines 37-40); and determining said optical characteristics of

said sub-component (Col 5 lines 65-66) by utilizing said amplitude and phase of said optical response of said sub- component and said reference phase of said input optical signal (Col 8 lines 52-57).

Re clm 4: the optical response is comprised of a heterodyne beat signal corresponding to said sub- component of said composite optical system (Col 3 lines 3-6)

Re clms 5,17: using a bandpass filter to separate from a plurality of heterodyne beat signals said heterodyne beat signal corresponding to said sub-component (Col 6 lines 53-59)

Re clms 6,18: utilizing orthogonal filters to determine amplitude and phase of said heterodyne beat signal corresponding to said sub-component (Col 3 lines 13-28)

Re clms 10,19: reflectivity and transmissivity (Col 5 line 65)

Re clm 11: a system comprising: an optical detector (Col 6 line 29), a filter (Col 6 lines 53-59) and a processing unit (12)

Re clm 12: light source (14)

Re clms 13-15: amplitude and phase (Col 2 lines 65-68)

Re clm 16: a plurality of heterodyne beat signals (Col 6 lines 37-40)

Re clm 20: first optical detector (16B) and second optical detector (16A)

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wong et al 4921347, Klein et al 5293213, Ichihara et al 6456382 and Groot 6359692. Note: no IDS has been filed in this application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khaled Brown whose telephone number is 571-272-2411. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on 571-272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KB
June 23, 2004



Frank Font
Supervisory Patent Examiner
Art Unit 2877